

FIREARMS GUARD – ONLY

2.0 Use of Rifle and Shotgun

2.1 Whereas there exists a need for private security guards in the State of Delaware to be equipped to handle situations where the risk of terrorist activity is high, or at special events where there is a high risk of violent activity or attack, the following rules are established to regulate the use of rifles and shotguns by security services contractors in the State.

2.2 The Governor of the State of Delaware, or designee, or the Superintendent of State Police, or designee, may authorize specified security services contractors to deploy security guards with rifles and/or shotguns, as appropriate to the defense of critical infrastructure facilities, or private business facilities and operations reasonably believed to be at risk of violent activity or attack likely to result in injury or significant damage to or loss of property. The situations where such protection would be required would include, but not be limited to:

2.2.1 An increase in the threat level from the Department of Homeland Security to “Imminent Threat Alert”, or higher;

2.2.2 Special circumstances where additional protection would be deemed appropriate, including but not limited to:

2.2.2.1 Credible threats to local facilities or operations;

2.2.2.2 Response to natural disasters;

2.2.2.3 Response to biological or chemical threats;

2.2.2.4 Civil unrest.

2.2.3 Any situation where additional trained responders are required to assist in the protection of life and property in the State of Delaware;

2.2.4 An armored car company or agency, as defined by 24 **Del.C.** §1302(1), dealing with a credible threat or genuine risk to life or to property.

2.3 Security guards who would be deployed and authorized to use such additional weaponry would be required to:

2.3.1 Be trained by certified firearms instructors pursuant to State of Delaware standards;

2.3.2 Be required to re-qualify with the weapons on a three times per year basis;

2.3.3 Maintain a handgun firearms license through the State;

2.3.4 Be listed by name on a roster of authorized individuals; and

2.3.5 Maintain employment in good standing with their security services contractor employer at all times for inclusion on the list.

2.4 Security guards using such firearms would be required to maintain strict compliance with the provisions of 24 **Del.C.** §1321.

2.5 Rifles deemed appropriate for use in the State would be .30 caliber weapons, .223 caliber weapons, 9mm rifle type weapons, and other weapons approved by the Superintendent, or designee, as need and technology dictate. Shotguns would be of the 12 gauge law enforcement/military style weapons. All firearms would be subject to the approval of the Superintendent or designee.

10 DE Reg. 1445 (03/01/07)

15 DE Reg. 875 (12/01/11)

18 DE Reg. 154 (08/01/14)